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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 38-10(15820)B
First Inventor Georg Jander
Title Plants with Imidazolinone-Resistant ALS
Express Mail Label No.

PTO
10/004827

12/07/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 38]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Pages 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☒ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

Prior application information: Examiner

of prior application No. /

Group / Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

27161

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Connie Caron/Andrew S. Brenc

Registration No. (Attorney/Agent)

48,131/45,534

Signature

for Connie Caron

Date

December 7, 2001

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 954

Complete if Known

Application Number	
Filing Date	December 7, 2001
First Named Inventor	Georg Jander
Examiner Name	
Group Art Unit	
Attorney Docket No.	38-10(15820)B

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to

Deposit
Account
Number

13 - 4125

Deposit
Account
Name

Monsanto Company

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 740

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
16	-20** = 0	18	0
4	-3** = 1	84	84
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 84

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
105 130	205 65		Surcharge - late filing fee or oath	130
127 50	227 25		Surcharge - late provisional filing fee or cover sheet	
139 130	139 130		Non-English specification	
147 2,520	147 2,520		For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*		Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*		Requesting publication of SIR after Examiner action	
115 110	215 55		Extension for reply within first month	
116 400	216 200		Extension for reply within second month	
117 920	217 460		Extension for reply within third month	
118 1,440	218 720		Extension for reply within fourth month	
128 1,960	228 980		Extension for reply within fifth month	
119 320	219 160		Notice of Appeal	
120 320	220 160		Filing a brief in support of an appeal	
121 280	221 140		Request for oral hearing	
138 1,510	138 1,510		Petition to institute a public use proceeding	
140 110	240 55		Petition to revive - unavoidable	
141 1,280	241 640		Petition to revive - unintentional	
142 1,280	242 640		Utility issue fee (or reissue)	
143 460	243 230		Design issue fee	
144 620	244 310		Plant issue fee	
122 130	122 130		Petitions to the Commissioner	
123 50	123 50		Processing fee under 37 CFR 1.17(q)	
126 180	126 180		Submission of Information Disclosure Stmt	
581 40	581 40		Recording each patent assignment per property (times number of properties)	
146 740	246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370		Request for Continued Examination (RCE)	
169 900	169 900		Request for expedited examination of a design application	
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Connie M. Caron	Registration No. (Attorney/Agent)	48,131	Telephone	617-551-8241
Signature	<i>Connie M. Caron</i>	Date	12-5-2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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ARNOLD & PORTER

202.942.5000
202.942.5999 Fax

555 Twelfth Street, NW
Washington, DC 20004-1206

12/07/01
J1131 U.S. PTO

December 7, 2001

Box Provisional Patent Application

Commissioner for Patents
Washington, DC 20231

Re: U.S. Patent Application
Appln. No.: To be Assigned
Filed: Herewith
For: ***Plants with Imidazolinone-Resistant ALS***
Inventors: JANDER *et al.*
Atty Docket: 38-10(15820)B

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.

Patent and Trademark Office (PTO):

1. Patent Patent Application Transmittal (PTO/SB/05);
2. Fee Transmittal Form (PTO/SB/17);
3. U.S. Patent Application entitled:

Plants with Imidazolinone-Resistant ALS

and naming as inventors:

Georg JANDER, Timothy P. DURRETT, and Scott R. BAERSON;

the application consisting of:

- a. a specification containing:
 - (i). 34 pages of a description prior to the claims;
 - (ii). 3 pages of claims (16 claims);
 - (iii). 1 page of drawings (Figures 1 and 2);
 - (iv). a one (1) page abstract;
 - (v). a paper copy of the sequence listing (22 pages);
4. a sequence listing in Computer Readable Form (CRF), on floppy diskette;
5. a Statement Regarding Sequence Submission;

ARNOLD & PORTER

Commissioner for Patents
Atty. Dkt.: 38-10(15820)B
December 7, 2001
Page 2

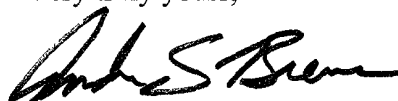
6. an original Combined Declaration and Power of Attorney (2 pages) executed by Georg Jander and Timothy P. Durrett;
7. an original Combined Declaration and Power of Attorney (2 pages) executed by Scott R. Baerson;
8. two (2) return postcards.

Submitted herewith is a sequence listing in Computer Readable Form (CFR), on floppy diskette.

The sequence listing in Computer Readable Form (CRF) contains one file called "38-10(15820)B CFR.txt" which is 32,780 bytes in size (measured in MS-DOS) and was created on December 5, 2001.

Please stamp one of two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

Very truly yours,



Connie Caron (Reg. No. 48,131)
Andrew S. Brenc (Reg. No. 45,534)

for
Connie
Caron

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)	
Georg Jander <i>et al.</i>)	Art Unit: To Be Assigned.
)	
Serial No. To Be Assigned)	Examiner: To Be Assigned.
)	
Filed: December 7, 2001)	Docket No.: 38-10 (15820)B
)	
For: Plants with Imidizolinone- Resistant ALS)	

Statement Regarding Sequence Submission

Commissioner for Patents
Washington, DC 20231

Sir:

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above-mentioned application are the same.

Respectfully submitted,

Connie M Caron

Connie M. Caron
Reg. No. 48,131